

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES - GENERAL

CASE NO.: CV 08-02438 SJO
CR 06-00179 SJO

DATE: June 6, 2008

TITLE: United States of America v. Gennady Kievsky

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PRESENT: THE HONORABLE S. JAMES OTERO, UNITED STATES DISTRICT JUDGE

Victor Paul Cruz
Courtroom Clerk

Not Present
Court Reporter

COUNSEL PRESENT FOR PETITIONER:

COUNSEL PRESENT FOR RESPONDENT:

Not Present

Not Present

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PROCEEDINGS (in chambers):

ORDER DENYING PETITIONER'S MOTION FOR APPOINTMENT OF COUNSEL
[Docket No. 7]

This matter is before the Court on Petitioner Gennady Kievsky's Motion for Appointment of Counsel, filed May 23, 2008. Kievsky, proceeding in forma pauperis, moves the Court to appoint counsel to represent him during the pendency of his habeas motion. Under 18 U.S.C. § 3006A(a)(2)(B), courts have discretion to appoint habeas counsel when the interests of justice or due process require. See *Bashor v. Risley*, 730 F.2d 1228, 1234 (9th Cir. 1984). If the habeas petitioner thoroughly presents the issues in his petition and accompanying memorandum, appointment of counsel is not required. *Id.*

Here, Kievsky's habeas petition demonstrates that he is capable of representing himself. Kievsky's filings "illustrate that he ha[s] a good understanding of the issues and the ability to present forcefully and coherently his contentions." See *La Mere v. Risley*, 827 F.2d 622, 626 (9th Cir. 1987).

Accordingly, Kievsky's Motion for Appointment of Counsel is DENIED.

IT IS SO ORDERED.